

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: METOPROLOL SUCCINATE
END-PAYOR ANTITRUST
LITIGATION

THIS DOCUMENT RELATES TO:
ALL ACTIONS

DOROTHY FERGUSON,
on behalf of herself and all others
similarly situated,

Plaintiff,

v.

ASTRAZENECA PHARMACEUTICALS LP,
ASTRAZENECA LP, ASTRAZENECA AB
and AKTIEBOLAGET HÄSSLE,

Defendants.

C.A. No. 06-71 (GMS)

C.A. No. 06-392 (GMS)

STIPULATION AND ORDER

IT IS HEREBY STIPULATED by the parties, subject to the approval of the Court, that this end-payor action shall be consolidated and coordinated with the related end-payor actions pursuant to Section IV of Pretrial Order No. 1 Regarding End-Payor Actions dated April 5, 2006 ("Pretrial Order No. 1") (D.I. 13 in C.A. No. 06-71 (GMS)).

Pretrial Order No. 1 contemplates that all related end-payor actions will be consolidated and that the plaintiffs will file a Consolidated Amended Complaint, which will be the sole operative complaint for all these actions. The Consolidated Amended Complaint was filed on June 5, 2006 (D.I. 17 in C.A. No. 06-71(GMS)). Pretrial Order No. 1 also states that the Clerk of the Court shall, *inter alia*, make appropriate entry for this action on the master docket (06-71 (GMS)), place a copy of Pretrial Order No. 1 in the separate file for this action, and mail a

copy of the Order of assignment to Liaison counsel and counsel for defendants. (D.I. 13 at ¶ 10).¹

Co-Lead Counsel for the other end-payor actions have advised that they have no objection to the addition of this action to Pretrial Order No. 1.

PRICKETT, JONES & ELLIOTT, P.A.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ J. Clayton Athey

/s/ Karen Jacobs Louden

Gary F. Traynor (#2131)
J. Clayton Athey (#4378)
jcathey@prickett.com
1310 King Street
P.O. Box 1328
Wilmington, Delaware
(302) 888-6500
Attorneys for plaintiffs

Jack B. Blumenfeld (#1014)
Karen Jacobs Louden (#2881)
Leslie A. Polizoti (#4299)
klouden@mnat.com
1201 N. Market Street
P.O. Box 1347
Wilmington, Delaware 19899
(302) 658-9200
Attorneys for defendants

SO ORDERED this 23rd day of June, 2006.



Judge Gregory M. Sleet

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¹ It is unnecessary for the Clerk to mail a copy of Pretrial Order No. 1 to the plaintiffs in this action (¶ 10(c)), as plaintiffs already are in possession of the Order.